

**CIVIL ACTION NO. 10-CV-11484-GAO**

3. The parties made a concerted effort to schedule the mediation as soon as possible during the months of April and May 2014, given the May 30 discovery deadline and June 9 status hearing. Nevertheless, because of the complications inherent in coordinating the schedules

of three sets of attorneys and clients, the parties were unable to find a mutually agreeable date during April or May that was also available on Ms. Walsh's calendar. As a result, the mediation is now scheduled for June 17, 2014.

4. The parties are hopeful that the mediation will lead to a resolution of this lawsuit. In order to avoid incurring additional fees on discovery in the meantime, the parties believe it would be more efficient for the Court and the parties to strike the current May 30 discovery deadline and June 9 status hearing and re-set the status hearing for a date following the June 17 mediation. At that point, the parties will be able to report to the Court on the outcome of the mediation, the prospects for settlement, and (in the event a settlement has not been reached) how much time is required to complete discovery, such that the Court could then set a new discovery deadline.

5. The Parties agree to this requested relief and do not believe it will prejudice any party or unnecessarily delay these proceedings.

WHEREFORE, the Parties respectfully request that this Court (1) enter an order striking the May 30, 2014 discovery deadline and the June 9, 2014 status hearing; and (2) re-setting the status hearing for a date after the parties' scheduled June 17, 2014 mediation.

Respectfully submitted,

**MARK SAUNDERS**

**EMPIRE TODAY, LLC**

By: /s/ Elizabeth K. Levine  
One of His Attorneys

By: /s/ Matthew J. Caccamo  
One of Its Attorneys

Elizabeth K. Levine  
Goulston & Storrs  
400 Atlantic Avenue  
Boston, MA 02110-3333  
PH: (617) 574-6549

Matthew J. Caccamo  
Baker & Hostetler, LLP  
191 N. Wacker Drive, Suite 3100  
Chicago, Illinois 60606  
PH: (312) 416-6235

**JLB CONCEPTS, INC.**

By: /s/ Richard J. Riley  
One of Its Attorneys

Richard J. Riley  
Melissa S. Arnold  
Murphy & Riley, P.C.  
101 Summer Street, 2nd Floor  
Boston, MA 02110  
PH: (617) 423-3700

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that a copy of the foregoing was served by the court's CM/ECF Electronic Case Filing System this 7th day of May, 2014, upon the following:

Richard J. Riley  
Melissa S. Arnold  
Murphy & Riley, PC  
101 Sublmmmer Street, 2nd Floor  
Boston, MA 02110  
617-423-3700  
[rriley@murphyriley.com](mailto:rriley@murphyriley.com)  
[marnold@murphyriley.com](mailto:marnold@murphyriley.com)

Elizabeth K. Levine  
Goulston & Storrs  
400 Atlantic Avenue  
Boston, MA 02110-3333  
617-574-6549  
[elevine@goulstonstorrs.com](mailto:elevine@goulstonstorrs.com)

/s/ Matthew J. Caccamo  
Matthew J. Caccamo